

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

If you were a personal services contractor performing work for the U.S. Agency for International Development (“USAID”) and your contract was terminated by the Government via a Termination Notice issued between February 12, 2025, and April 24, 2025, a federal court has certified a class action lawsuit that may affect your legal rights.

A federal court authorized this Notice. This is not a solicitation from a lawyer.

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS; PLEASE READ IT CAREFULLY.

TO: All personal services contractors that were performing work for USAID pursuant to Personal Services Contracts (“PSCs”) at the time their contracts were terminated by USAID via Termination Notices issued between February 12, 2025, and April 24, 2025.

- This legal notice has been sent to you by order of the United States Court of Federal Claims. Please read this Notice carefully and in full. It tells you about a class action lawsuit that has been certified by the Court, advises you of how your rights may be affected, and explains how you may join the lawsuit if you choose to do so.
- The Court is neither encouraging nor discouraging anyone from joining this lawsuit. This Notice is intended to inform you of the class action lawsuit *Danziger et al. v. United States*, Case No. 25-1241C, and of your rights with respect to it, including how to participate in this lawsuit if you choose to do so. **Please note that this class action is different from many other class action lawsuits in the United States because, if you do nothing, you will not be able to participate in the lawsuit as a Class member.**

YOUR LEGAL RIGHTS AND OPTIONS IN THIS CLASS ACTION LAWSUIT	
OPT IN (ASK TO BE INCLUDED IN THE CLASS)	You will be bound by, and will recover in, any judgment or monetary settlement that may be reached. If no settlement is reached, you will be bound by the Court’s decision, whether it is favorable or unfavorable. To join the Class, you must submit a completed Class Action Opt-In Notice Form electronically, by first-class mail, or by pre-paid delivery service. The Class Action Opt-In Notice Form must be submitted, postmarked, or delivered by December 7, 2026.
DO NOTHING	You will not be affected by any judgment or settlement in this case, whether favorable or unfavorable. You retain the right to sue the United States separately on the same legal claims.

Your rights and options, and the deadlines to exercise them, are explained in this notice.

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I. Basic Information

1. Why did I receive this notice?

Government records indicate that you were a personal services contractor performing work for USAID whose contract was terminated by the United States between February 12, 2025, and April 24, 2025.

The purpose of this Notice is to inform you that the United States Court of Federal Claims has certified a class action lawsuit concerning these terminations, to advise you of how your rights may be affected by this lawsuit, and to explain how you may “opt in” to the lawsuit if you choose to do so. The class action lawsuit is called *Danziger et al. v. United States*, Case No. 25-1241C, and was filed before the United States Court of Federal Claims. The case is assigned to Judge David A. Tapp, who found that class certification is warranted and that the proposed class satisfies each prerequisite for class certification under the Rules of the Court of Federal Claims (“RCFC”), Rule 23.

2. What is this lawsuit about?

Plaintiffs have alleged that Defendant United States improperly terminated more than one thousand PSCs *en masse* beginning in February 2025 and continuing through April 2025 as part of the Government’s efforts to dismantle or reorganize USAID.

Beginning on or around February 12, 2025, Plaintiffs received Termination Notices, which asserted that the PSCs were terminated “for Convenience of the Government,” and that “continu[ing the] contract[s]” was “no longer in the best interests of the United States Government.” According to Plaintiffs’ allegations, the Termination Notices are boilerplate letters sent to PSC contractors *en masse*. Plaintiffs further allege that the Government acted improperly in terminating the PSCs via mass Termination Notices by acting in bad faith or abuse of discretion, that is, by terminating the PSCs based on animus, malice, unsupported bases, or pretextual reasons, or in violation of law. According to Plaintiffs’ Amended Complaint, because the Government terminated the PSCs in bad faith or abuse of discretion, the terminations constitute a breach of contract, thereby entitling PSC contractors to termination costs as well as lost compensation for the remaining contract period. The United States denies Plaintiffs’ allegations and contends that the terminations were lawful exercises of its termination-for-convenience authority.

The case was assigned to Judge David A. Tapp. On April 10, 2026, the Court denied the Government’s motion to dismiss the Amended Complaint. On May 7, 2026, the Court granted Plaintiffs’ motion for class certification and appointed Crowell & Moring LLP as lead counsel for the class.

More detailed information about this lawsuit is contained in the Class Action Amended Complaint, the Court’s decision on the Government’s motion to dismiss, and in the Court’s Order Granting Class Certification, all available at: www.USAIDClassAction.com.

3. What relief is requested in this lawsuit?

Named Plaintiffs seek the following on behalf of themselves and the Class:

- Damages for breach of contract arising from the Government’s bad faith or abuse of discretion, which includes lost compensation for the remaining period of each terminated contract, where applicable;
- Termination costs to which each Class member is entitled as a result of the Government’s terminations of their PSCs and which has not already been paid by the Government;
- Payment to Class Counsel, who represent Named Plaintiffs that filed this lawsuit, including attorneys’ fees, expenses, and costs associated with bringing and prosecuting this lawsuit; and
- Any other relief the Court deems just and proper.

4. What is a class action and who is involved?

In a class action lawsuit, one or more persons called “Class Representatives” sue on behalf of others who have similar legal claims. These persons together form a “Class” or “Class members.” The persons who sued—and all Class members who join the lawsuit—are called “Plaintiffs.” The party against whom the lawsuit is brought is called the “Defendant.” Here, the Defendant is the United States of America.

The Court has designated Andrea Danziger, Deborah Murphy, Mark Herzberg, and Kenneth Sklaw as Class Representatives, that is the “Named Plaintiffs.” The Named Plaintiffs were all PSC contractors who received Termination Notices between February 12, 2025, and April 24, 2025, and are located throughout the country and internationally. All Named Plaintiffs submitted certified claims as required by the Contract Disputes Act (“CDA”), and the Government has denied all Named Plaintiffs’ claims for recovery allegedly caused by the Government’s breach of contract by either issuing a contracting officer’s final decision or by failing to timely respond within 60 days to the CDA claim.

The Court of Federal Claims will resolve all common legal and factual questions for every eligible Class member who timely submits a Class Action Opt-In Notice Form. Those who do not timely submit a Class Action Opt-In Notice Form will be excluded from the Class in this case.

More information about why the Court has allowed this lawsuit to proceed as a class action is contained in the Court’s Order Granting Class Certification, dated May 7, 2026, available at: www.USAIDClassAction.com.

II. Who May Participate In The Class Action

5. Am I part of this lawsuit?

You will need to decide whether you wish to join this lawsuit as a Class member. **You are not part of the Class unless and until you fill out and submit the Class Action Opt-In Notice Form** found at the end of this Notice or at: www.USAIDClassAction.com.

RCFC Rule 23 requires that Class members wishing to participate in this class action must join or “opt in” to this lawsuit. If you fit the description in Question 6 below, you may opt in and join the lawsuit.

The Court may permit withdrawal from the class of a Class member who initially requests inclusion but then requests to be withdrawn.

PLEASE NOTE that this “opt-in” procedure is different from many other class action lawsuits in the United States because, if you do nothing, you will not be able to participate in the lawsuit as a Class member.

6. Who is included in the Class?

The Court certified the following Class:

All personal services contractors that were performing work for USAID pursuant to Personal Services Contracts at the time their contracts were terminated by USAID via Termination Notices issued between February 12, 2025, and April 24, 2025.

If you are uncertain whether you are included in the Class, you may contact Class Counsel at the address or telephone number provided in Section VI of this Notice.

III. Your Options

7. How can I join the Class?

Enclosed with this Notice you will find a document titled “Class Action Opt-In Notice Form.” If you choose to participate in this lawsuit, and potentially participate in any recovery that may result, it is

important that you read, sign, and return the Class Action Opt-In Notice Form using one of the methods listed below:

By Internet: www.USAIDClassAction.com

- A copy of the Class Action Opt-In Notice Form may also be downloaded at this URL: www.USAIDClassAction.com

By Courier:

Danziger et al. v. United States Class Action
c/o JND Legal Administration
1201 2nd Ave, Suite 3400
Seattle, WA 98101

By Mail:

Danziger et al. v. United States Class Action
c/o JND Legal Administration
PO Box 91349
Seattle, WA 98111

The Class Action Opt-In Notice Form must be submitted, postmarked, or delivered on or before December 7, 2026.

If you do not wish to participate in the lawsuit, you need not take any action.

8. What happens once I join the Class?

If you are eligible to be a Class member and choose to join the Class, you will share in any monetary relief or other benefits obtained from the lawsuit. If the case is resolved by settlement agreement, you will be bound by, and will recover in, any judgment or monetary settlement that may be reached. If the case is not resolved by settlement agreement, a judgment in this case will be binding on you, meaning that you cannot pursue your own separate lawsuit based on the same legal claims at issue here.

Any person who submits a Class Action Opt-In Notice Form need not appear in Court in order to participate. If you become a Class member, your interests will be represented by the Class Representatives and Class Counsel.

In order to join the Class, your Class Action Opt-In Notice Form must be submitted, postmarked, or delivered by December 7, 2026.

9. Will joining the Class cost me any money?

You will not be required to pay any money out of pocket to participate in the Class Action. If the Class is successful in this litigation, Class Counsel will ask the Court's permission to be compensated for litigating this case and representing the Class. Any sums received by Class Counsel in compensation will be deducted from any recovery, which will proportionately reduce the amount of any award each Class member receives. If the case is unsuccessful, you will have no obligation for attorneys' fees or costs.

10. What happens if I do not join the Class?

If you do not submit a Class Action Opt-In Notice Form electronically, postmarked, or hand-delivered on or before **December 7, 2026**, you cannot participate as a Class member in this case. As a result, you will not receive any money or benefits the Court may award as a result of this lawsuit. However, you retain the right to hire your own lawyer—or to proceed without counsel—to sue the United States separately on the same legal claims at issue in this lawsuit, and you will not be legally bound by any decision the Court reaches in this class action.

IV. The Lawyers Representing You

11. Do I have a lawyer in this case?

Yes. Pursuant to RCFC 23(g), the Court appointed Stephen J. McBrady of Crowell & Moring LLP as Class Counsel. Stephen J. McBrady and Crowell & Moring LLP attorneys are qualified to represent you and have experience handling this type of lawsuit. Crowell & Moring LLP attorneys have already

invested over 7,000 hours into identifying proposed class members, advising them regarding their rights under their contracts, and working with class members on litigation preparation efforts. Counsel of record Stephen J. McBrady has practiced government contracts law for 20 years, leading the Government-facing litigation practice at Crowell & Moring and chairing the firm's Government Contracts Group. Counsel specializes in claims under the CDA and the Tucker Act and has a combined total of over three decades of experience litigating before this Court. More information about Class Counsel is available at: www.crowell.com.

12. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel will work on your behalf and represent your interests if you join the Class. You have the right to retain your own lawyer. Your own lawyer may appear in Court for you if you want someone other than Class Counsel to speak on your behalf. If you choose to hire your own lawyer, you will be responsible for paying that lawyer's fees and costs.

V. Litigation Information

13. How and when will the Court decide this case?

The Court found that class certification is warranted and granted Plaintiffs' Motion on May 7, 2026. The case remains in active litigation. If the case is not resolved by summary judgment, settlement, or otherwise, Class Counsel will be required to prove the claims of Plaintiffs and the Class at trial. The parties are currently engaged in the pre-trial phase of litigation, during which they will exchange information about the facts of the case and present legal arguments to the Court. At trial, the Court will hear all of the evidence and reach a decision about whether Plaintiffs or the United States is correct about the claims in this case. The Court has not yet set a trial date.

14. Do I need to go to trial?

No. You do not need to attend the trial. Class Counsel will present the case on behalf of all Class members. You and your own lawyer, if you have retained one, are welcome and entitled to attend any public proceedings in this case at your own expense.

15. Will I get any money?

The outcome of this litigation is not guaranteed. Plaintiffs seek breach of contract damages based on the Government's alleged bad faith or abuse of discretion as well as termination costs to which they are entitled. If the Class is successful and obtains monetary or other relief as a result of this litigation, eligible Class members who have timely opted in will be notified about how to participate in and receive their share of any such relief. The parties do not at this time know how long the case will take to resolve.

VI. Getting More Information

16. What if I need more information or have additional questions?

If you have additional questions about this Notice or your rights, you may visit the website established by Class Counsel at: www.USADClassAction.com, or you may contact Class Counsel directly:

Stephen J. McBrady
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ProjectDeltaTeamAdmin@crowell.com

Please do not contact the United States Court of Federal Claims with questions or requests for information about this case.